Writ Petition No.257 (M/S) of 2003

The Pradeshiya Industrial and Investment Corporation.. Petitioner

Versus

Civil Judge (SD) Dehradun and others---------- Respondents

Hon'ble M.M.Ghildiyal J.

The petitioner who is a Government company incorporated under the companies Act, 1956 with its' registered office at Gomti Nagar Lucknow, granted loan to respondent No.3. Respondent No. 4 & 6 were the guarantors to the loan given by the petitioner. The petitioner has submitted that since the loan was not repaid, recovery certificate was issued to the Collector, Dehradun for the recovery of the dues. In the meantime, the plaintiff filed the suit No. 399/2000. In the aforesaid suit the petitioner was not a party. The petitioner moved impleadment application which is still pending. In the aforesaid suit, on 29.7.2000 an interim injunction was passed behind the back of the petitioner. The petitioner has submitted that 18.2.2002 was fixed for the disposal of petitioner's impleadment application. The impleadment application has not been disposed of as yet. The contention of the petitioner is that he is an interested party and interim injunction has been passed behind his back by the Civil Judge (Sr. Div.) Dehradun. The prayer of the petitioner is that his impleadment application may be disposed of so that he may make objection in the suit.

The Civil Judge (Sr. Div.) Dehradun is directed to dispose of the application of the petitioner for impleadment expeditiously.

With these observations the Writ Petition is disposed of finally.

Sd/

09.04.2003:
MPS